

Attachment 8 - Debarment And Suspension (Non Procurement)

Debarment, Suspension, Ineligibility and Voluntary Exclusion

Instructions for Certification: By signing and submitting this bid or proposal, the prospective lower tier participant is providing the signed certification set out below.

- (1) The Contractor shall comply and facilitate compliance with U.S. DOT regulations, “Nonprocurement Suspension and Debarment,” 2 C.F.R. part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) “Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),” 2 C.F.R. part 180.**
- (2) To the best of its knowledge and belief, that its Principals and Subrecipient’s at the first tier:**
 - a) Are eligible to participate in covered transactions of any Federal department or agency and are not presently:**
 - 1. Debarred,**
 - 2. Suspended,**
 - 3. Proposed for debarment,**
 - 4. Declared ineligible,**
 - 5. Voluntarily excluded, or**
 - 6. Disqualified,**
 - b) Its management has not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for:**
 - 1. Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction,**
 - 2. Violation of any Federal or State antitrust statute, or**
 - 3. Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property,**
 - c) It is not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses listed in the preceding subsection 2.b of this Certification,**
 - d) It has not had one or more public transactions (Federal, State, local) terminated for cause or default within a three-year period preceding this Certification,**
 - e) If, at a later time, it receives any information that contradicts the statement of subsections 2.a – 2.d above, it will promptly provide that information to FTA,**

- f) **It will treat each lower tier contract or lower tier subcontract under its Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR Part 180 if it:**
1. **Equals or exceeds \$25,000,**
 2. **Is for audit services, or**
 3. **Requires the consent of a Federal Official, and**
- g) **It will require that each covered lower tier contractor and subcontractor:**
1. **Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and**
 2. **Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be:**
 - i. **Debarred from participation in any federally assisted Award;**
 - ii. **Suspended from participation in any federally assisted Award;**
 - iii. **Proposed for debarment from participation in any federally assisted Award;**
 - iv. **Declared ineligible to participate in any federally assisted Award;**
 - v. **Voluntarily excluded from participation in any federally assisted Award;**
 - vi. **Disqualified from participation in any federally assisted Award.**
- (3) **It will provide a written explanation as indicated on a page attached in FTA's TEAM-Web or the Signature Page if it or any of its principles including any of its first tier Subrecipient's or its Third Party Participants at a lower tier, in unable to certify compliance with the preceding statements in this Certification Group.**

Certification:

Contractor: _____

Name and Title of Contractor's Authorized Official: _____

Signature: _____ **Date:** _____